IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3854 of 2005

Between:

M/s.Suryatronics (P) Ltd., rep.by its Joint Managing Director Sri K.S.V.Prasad, A-301, Ruhaina Apts, Tarnaka, Secunderabad.

..... PETITIONER

AND

The Regional Provident Fund Commissioner, Andhra Pradesh, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of Mandamus or any other appropriate writ order more particularly writ of mandamus directing the respondents to stay the sale proceeds on 3rd March 2005 until the reconciliation of Accounts between the Accounts Dept., and Enforcement Dept., and also declare the proclamation of sale vide No.AP/18041 R. Cell/R.C.No.104/04, P.D.R.C.No.892/04/1386 dt.28-01-2005 as void since no warrant of Attachment was served prior to proclamation of sale.

Counsel for the Petitioner:MR.J.K.RANJIT KUMAR

Counsel for the Respondent : MR.R.N.REDDY

The Court at the admission stage made the following :

ORDER:

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondent.

This writ petition is filed aggrieved by the proclamation of sale dated 28-01-2005 issued by the respondent for sale of the property in question in pursuance of the certificate dated 30-04-2004 issued for recovery of a sum of Rs.14,44,192/- recoverable with interest in accordance with Section 7Q of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (for short 'the Act').

As can be seen from the material on record, the order under Section 7A of the Act passed against the petitioner has become final and as on today, no appeal is pending challenging the said order. Hence, I do not find any reason to interfere with the sale proceedings initiated by the respondent.

Accordingly, the Writ Petition is dismissed. No costs.

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01-03-2005

To

1. The Regional Provident Fund Commissioner, Andhra Pradesh, Hyderabad.
2. Two C.D. copies.

sj